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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,765	03/16/2004	David O. Nelson	G11.005	3430
28062 7590 12/22/2006 BUCKLEY, MASCHOFF, TALWALKAR LLC 50 LOCUST AVENUE NEW CANAAN, CT 06840			EXAMINER NGUYEN, KIMBERLY D	
			ART UNIT	PAPER NUMBER
			2876	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/22/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/801,765

Applicant(s)

NELSON, DAVID O.

Examiner

Kimberly D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 and 10-14 is/are allowed.
- 6) ☒ Claim(s) 7-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Acknowledgment is made of Amendment filed September 25, 2006.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Foladare et al. (US 5,914,472; hereinafter "Foladare").

Re claim 7: Foladare teaches an authorization method comprising:

receiving a request from a vendor to authorize a transaction involving a payment account identifier (step 100 in fig. 1) (the user of an ancillary transaction card request for a purchase of a merchandise and present the transaction card for payment; col. 4, lines 11+), the transaction including terms (e.g., transaction amount, spending limit);

confirming that the payment account identified by the payment account identifier is open (step 102-104; col. 4, lines 23-27);

confirming that a manual authorization record (a manual authorization record is treated as a refusal) is not associated with the payment account identifier (check whether the transaction amount as entered by the merchant at step 100 exceeds the available credit for this ancillary card at step 106); and

after confirming that a manual authorization record (a refusal) is not associated with the payment account identifier, authorizing the transaction if all of a plurality of account-level or

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corporate-level restrictions (plurality of account-level *or* corporate-level restrictions are broadly interpreted as the spending limit associated with the account; since the phrase “*or* corporate-level restriction” does not necessarily contain a patentable weight) on use associated with the payment account identifier are met by the terms of the transaction (e.g., the transaction amount meets the credit limit and is approved at step 120 in fig. 1; col. 4, lines 49+).

Re claims 8-9: Foadare teaches an authorization method, comprising:

receiving a request from a vendor to authorize a transaction involving a payment account identifier (step 100 in fig. 1) (the user of an ancillary transaction card request for a purchase of a merchandise and present the transaction card for payment; col. 4, lines 11+), the transaction including terms (e.g., transaction amount, spending limit);

confirming that the payment account identified by the payment account identifier is open (step 102-104; col. 4, lines 23-27); and

prior to determining whether the payment account identifier is associated with one or more corporate-level and an account-level restriction on use (corporate-level and an account-level restriction is interpreted as an over-spending-limit and an up-to-spending-limit restriction, respectfully), confirming that a manual authorization record is associated with the payment account identifier (e.g., spending limit associated with the account); and

authorizing the transaction if the transaction terms satisfy requirement of the manual authorization record (step 116, 120 in fig. 1).

*Allowable Subject Matter*

4. Claims 1-6 and 10-14 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Applicant's remarks on page on page 8-10 of Amendment filed September 25, 2006 regarding independent claim 1 have overcome the prior art rejection. The best prior art of record fails to teach or fairly suggest, among with other limitations, creating a manual authorization record for the payment account and the purchase transaction using information from the earlier authorization request, the manual authorization record temporarily overriding the at least one of an account-level and a corporate-level restriction on use and allowing approval of a second authorization request involving the payment account and the purchase transaction as set forth in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

6. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection as set forth above.

### ***Conclusion***

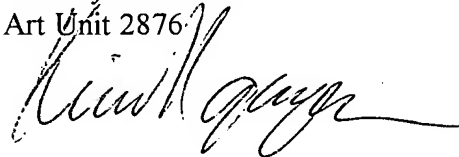
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kimberly D. Nguyen  
Primary Examiner  
Art Unit 2876



December 11, 2006